

August 13, 1990

**SYNOPSIS OF PROPOSED
AMENDMENT TO H.R. 5041**

SEC. 1. Short Title.

**I. AMENDMENTS TO THE FEDERAL
CIGARETTE LABELLING AND ADVERTISING ACT**

SEC. 2. Cigarette Warning Labels.

(a) Six warnings -- simplified versions of current warnings.

(b) Format changes --

(1) Pack warnings -- All capital letters, enclosed by border; black or white letters and border (whichever is more prominent relative to background color).

(2) Print ad warnings -- All capital letters, area of label 20 percent larger than current area.

(3) Billboard warnings -- Area of label 50 percent larger than current area.

(c) Rotation --

(1) Packs -- Simultaneous (as under the current "little guy" provision).

(2) Print ads -- Quarterly.

(3) Billboards -- Annually or when ad changes (whichever occurs first).

(4) Schedule for FTC approval of rotation plans.

SEC. 3. Cigarette Ingredients.

(a) Codify HHS requirement that manufacturers provide quantity information.

(b) Require HHS to issue a report before 12/1/92.

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SEC. 4. Cigarette Smoke Constituents.

Codify existing voluntary arrangement with FTC.

SEC. 5. Restrictions on Advertising, Promotion, and Sale of Cigarettes.

(a) Prohibitions.

- (1) No sale or distribution to persons under 18.
- (2) No purchase or receipt by persons under 18.
- (3) No sampling on public streets, sidewalks, or parks except where persons under 18 are not allowed.
- (4) No unsupervised vending machines in places open to the public.
- (5) No billboard ads within 500 feet of elementary or secondary schools.
- (6) No movie product placement and no trademarks on video games or arcade games.

(b) Exceptions for distribution to family members and persons in the trade.

SEC. 6. Enforcement.

(a) Amend existing law to preclude multiple penalties for single violations of existing law and new prohibitions (5) and (6) above.

(b) Provide civil money penalties for violations of new prohibitions (1) through (4) above and give State Attorneys General and U.S. Department of Justice concurrent authority to enforce those prohibitions.

II. AMENDMENTS TO THE COMPREHENSIVE SMOKELESS TOBACCO HEALTH EDUCATION ACT OF 1986

SEC. 7. Repeal Sec. 2 (like current version of the bill) (see Part III of proposed substitute).

SEC. 8. Smokeless Tobacco Warning Labels.

(a) Three warnings -- Same as current warnings but attributed to the Surgeon General.

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(b) Format changes -- Conform warning formats to formats for cigarette warnings; require billboard warnings.

(c) Rotation -- Same as for cigarettes, except rotation every four months for print ad warnings.

SEC. 9. -- Smokeless Tobacco Ingredients.

(a) Require manufacturers to provide quantity information.

(b) Require HHS to issue a report before 12/1/92.

(c) Make FTC cigarette confidentiality regulations apply to smokeless ingredient information.

SEC. 10. Restrictions on Advertising, Promotion, and Sale of Smokeless Tobacco Products.

(a) Prohibitions -- Same as for cigarettes, except for sampling in certain places.

(b) Exceptions -- Same as for cigarettes.

SEC. 11. Enforcement -- Same as for cigarettes.

SEC. 12. Definitions.

Conform definition of "advertisement" to cigarette definition.

**III. AMENDMENTS TO THE
COMPREHENSIVE SMOKING EDUCATION ACT OF 1986**

SEC. 13. Amend Sec. 3 to address smokeless tobacco, direct the Secretary to establish a Center for Tobacco and Health, and establish an Interagency Committee on Tobacco and Health. This section is similar to the corresponding provisions in the August 3 discussion draft of H.R. 5041.

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IV. ADDENDUM ON INGREDIENT DISCLOSURE
(HANDED OVER SEPARATELY)

SEC. 3. Cigarette Ingredient Disclosure.

(c) Require manufacturers to display on retail cartons an ingredients list including "Tobacco" and ingredients added to and present in the cigarette in a quantity greater than 1% by weight. Spices, flavorings, fragrances, and colorings may be listed generically. Quantities need not be disclosed. "Tobacco" means tobacco in any form and however processed, any blend, and any naturally-occurring substances.

SEC. 9. Smokeless Tobacco Product Disclosure.

(d) Same as for cigarettes, except retail carton is defined differently.

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